

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIC RUDOLPH,	)	
	)	
Plaintiff,	)	Civil Action No. 07-1121
	)	
v.	)	Judge Lancaster
	)	Magistrate Judge Caiazza
LOUIS S. FOLINO, et al.,	)	
	)	
Defendants.	)	

MEMORANDUM ORDER

Eric Rudolph's Petition for Writ of Habeas Corpus was received by the Clerk of Court on August 15, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on November 19, 2007, recommended that the Petition for Writ of Habeas Corpus filed by Petitioner Rudolph be dismissed as a second or successive petition which requires prior approval from the Court of Appeals. The parties were allowed ten days from the date of service to file objections. Rudolph filed objections on November 29, 2007.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 15<sup>th</sup> day of Dec, 2007,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas

Corpus filed by Eric Rudolph is dismissed.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 19), dated November 19, 2007, is adopted as the opinion of the court.

A handwritten signature in black ink, appearing to read "Gary L. Lancaster", written over a horizontal line.

Gary L. Lancaster  
U.S. District Court Judge

CC:  
ERIC RUDOLPH  
CK-0358  
SCI Greene  
175 Progress Drive  
Waynesburg, PA 15370